



PTO-1390 (Rev. 10-2004) Approved for use through 03/31/2007 OMB 0651-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

ATTORNEY'S DOCKET NUMBER TRANSMITTAL LETTER TO THE UNITED STATES 09867/0201851-US0 DESIGNATED/ELECTED OFFICE (DO/EO/US) U.S. APPLICATION NO. (If known, see 37 CFR 1.5) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 10/510.188 INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED PCT/JP2004/010979 26 July 2004 29 July 2003 TITLE OF INVENTION REMOTE CONTROL TOY SYSTEM AND DRIVING DEVICE THEREOF APPLICANT(S) FOR DO/EO/US Kazuyuki Saeki Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below. The US has been elected (Article 31). A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) is attached hereto (required only if not communicated by the International Bureau). a. b. has been communicated by the International Bureau. C. is not required, as the application was filed in the United States Receiving Office (RO/US). An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). 6. is attached hereto. a. b. has been previously submitted under 35 U.S.C. 154(d)(4). Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) a. are attached hereto (required only if not communicated by the International Bureau). b. have been communicated by the International Bureau. have not been made; however, the time limit for making such amendments has NOT expired. C. d have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 9. Х An English language translation of the annexes to the International Preliminary Examination Report under PCT 10. Article 36 (35 U.S.C. 371 (c)(5)). Items 11 to 20 below concern document(s) or information included: An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 11. 12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. A preliminary amendment. 14. An Application Data Sheet under 37 CFR 1.76. 15. A substitute specification. 16. A power of attorney and/or change of address letter. 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. A second copy of the published International Application under 35 U.S.C. 154(d)(4). 18 A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 19 20. Other items or information: Certificate of Express Mailing Under 37 CFR 1.10; Check in the amount of \$40.00; Return Receipt Postcard



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U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. U.S. APPLICATION NO. (if known, see 37 CFR 1.5) INTERNATIONAL APPLICATION NO. ATTORNEY'S DOCKET NUMBER 10/510,188 PCT/JP2004/010979 09867/0201851-US0 x The following fees are submitted: **CALCULATIONS** PTO USE ONLY BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . ternational preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . International preliminary examination fee (37 CFR 1.482) not paid to USPTO International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4). nternational preliminary examination fee (37 CFR 1.482) paid to USPTO **ENTER APPROPRIATE BASIC FEE AMOUNT =** 0.00 Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)). **NUMBER FILED CLAIMS NUMBER EXTRA RATE** Total claims -20 = x Independent claims -3 = X MULTIPLE DEPENDENT CLAIM(s) (if applicable) TOTAL OF ABOVE CALCULATIONS = 0.00 Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. SUBTOTAL = 0.00 Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). **TOTAL NATIONAL FEE =** 0.00 Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property 40.00 **TOTAL FEES ENCLOSED =** 40.00 Amount to be \$ refunded: Amount to be \$ charged: A check in the amount of \$ 40.00 to cover the above fees is enclosed. Please charge my Deposit Account No. in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed. x The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0100 . A duplicate copy of this sheet is enclosed. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card d. information should not be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status. Firm bourson SEND ALL CORRESPONDENCE TO: 970 Joseph R. Robinson SIGNAZURE: DARBY & DARBY P.C. Joseph R. Robinson P.O. Box 5257 NAME New York, New York 10150-5257 (212) 527-7783 33,448 **CUSTOMER NUMBER: 07278** REGISTRATION NUMBER

JC10 Rec'd PCT/250 05 MAY 2005

Express Mail Label No. Dated: ______

10/510188

Docket No.: 09867/0201851-US0

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Kazuyuki Saeki

Application No.: 10/510,188

Filed: September 30, 2004

For: REMOTE CONTROL TOY SYSTEM AND

DRIVING DEVICE THEREOF

Confirmation No.: 6827

Art Unit: N/A

Examiner: Not Yet Assigned

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

MS Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) – Filing Date Granted mailed April 25, 2005, Applicant respectfully submits a copy of our Third Submission of items concerning a filing under 35 U.S.C. 371, including a copy of the Combined Declaration and Power of Attorney as previously submitted to the United States Receiving Office on November 18, 2004 and Part 2 Copy of Notice. Also enclosed is a stamped return receipt postcard.

Applicants respectfully request Acceptance of this application as of November 18, 2004.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: May 5, 2005

Respectfully submitted

By MAKE Chris T. Mizumoto

Registration No.: 42,899

DARBY & DARBY P.C.

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New York, New York 10150-5257

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(212) 527-7701 (Fax)

Attorneys/Agents For Applicant

Inventor: Kazuyuki Saeki

Appln: 10/510,188

Filett: Sep. 30, 2004

Title: REMOTE CONTROL TOY SYSTEM AND DRIVING
DEVICE THEREOF

Documents:

Certificate of Express Mailing Under 37 CFR 1.10 (1 pg)
Transmittal Letter PTO 1390 (2 pp) – 3" submission

Executed DECPOA (3 pp); Recordation Form Cover Sheek (1 pg) w

Assignment (2 po)
Sheek No. 6776 in the amount of \$40.00

Return Receipt Rostcard

Via: Express Mailt Airbill No. 6/3 8 2 0 5 1 2 2 5 – Uf

Sender Initials: JRR/mch Date: November 18, 2004

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. in an envelope addressed to:

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

November 18, 2004 Date

Typed or printed name of person signing Certificate Registration Number, if applicable

Telephone Number

Note:

Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Letter to the United States Designated-Elected Office (2 pp) -

Third submission

Executed Declaration and Power of Attorney (3 pp)

Recordation Form Cover Sheet (1 pg) w/Assignment (2 pp) Check No. 6776 in the amount of \$40.00

Return Receipt Postcard

United States Patent and Trademark Office ces: COMMISSIONER FOR PATENTS PO. Box 1450 Alexandria, Vinginia 22313-1450 www.uspto.gov

United States Patent and Trademark Office

U.S. APPLICATION NUMBER NO. 10/510,188

FIRST NAMED APPLICANT Kazuyuki Saeki

ATTY. DOCKET NO.

096867/0201851-US0 INTERNATIONAL APPLICATION NO.

PCT/JP04/10979

LA. FILING DATE

PRIORITY DATE

07/26/2004

NEW YORK, NY 10150-5257 Decitated on S

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Afforacy _

CONFIRMATION NO. 6827 371 FORMALITIES LETTER

OC000000015817379

Date Mailed: 04/25/2005

DARBY & DARBY P.C. P. O. BOX 5257

07278

11/25/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/30/2004
- Copy of the International Search Report filed on 09/30/2004
- Information Disclosure Statements filed on 10/05/2004
- U.S. Basic National Fees filed on 09/30/2004

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

• Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

DARRELL C COTTMAN

BEST AVAILABLE COPY

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/510,188	PCT/JP04/10979	096867/0201851-US0

FORM PCT/DO/EO/905 (371 Formalities Notice)

Application No. (if known): 10/510,188

Attorney Docket No.: 09867/0201851-US0

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airpill No. 561021 in an envelope addressed to:

MS Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

on <u>May 5, 2005</u> Date

Kellran Darein
Signature
C / Med C cai
FILIANGAICIA
Typed or printed name of person signing Certificate
Typed or printed name of person signing Certificate

Registration Number, if applicable

Telephone Number

Note:

Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Response to Notice to File Missing Parts of Application (2 pp);

Copy of Notice (2 pp);

Copy of Certificate of Express Mailing Under 37 CFR 1.10 (3rd

submission) mailed November 18, 2004 (1 pg);

Copy of PTO 1390 (3rd submission)(2 pp);

Copy of Executed Declaration and Power of Attorney (3 pp);

Copy of date stamped (November 18, 2004) return receipt postcard; and

Return Receipt Postcard

BEST AVAILABLE COPY

Rec'd PCT/PTO 05 MAY 2005

Atty Docket No.: 09867/0201851-US0

Inventor: Kazuyuki Saeki

Appln: 10/510,188 Filed: Sep. 30, 2004
Title: REMOTE CONTROL TOY SYSTEM AND DRIVING

DEVICE THEREOF

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Assignment (2 pp)
Check No. 6776 in the amount of \$40.

Return Receipt Postcard

Via: Express Mail: Airbill No. 6/382051225-US Sender Initials: JRR/mch/Date: November 18, 2004

DARBY & DARBY, P.C.
PATENT OFFICE ACCOUNT 805 THIRD AVENUE NEW YORK, NY 10022 DATE 11-18-54
PAY TO THE ORDER OF PATENTS & TRADEMARKS \$ 40 000
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ECITIDANK CITIBANK, N.A. BR. #852 The Citigroup Private Bank
CITIBANK, N.A. BR. #852 153 EAST SARD STREET NEW YORK, NY 10043 MEMO 570, 188 / 0201851 MEMO 570, 188 / 0201851 Jabuilla V. Karaneri
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